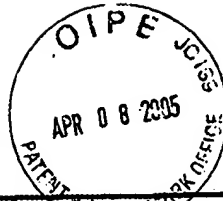


Please type a plus sign (+) inside this box → ☐

HDP/SB/21 based on PTO/SB/21 (08-00)

3743



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/816,014
Filing Date	March 23, 2001
Inventor(s)	Bernd SCHOLLER et al.
Group Art Unit	3743
Examiner Name	Kathryn P. Ferko
Attorney Docket Number	6056-000039/US

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Letter to the Official Draftsperson and _____ Sheets of Formal Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> LETTER SUBMITTING APPEAL BRIEF AND APPEAL BRIEF (w/clean version of pending claims) <input type="checkbox"/> Appeal Communication to Group (Notice of Appeal, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Response to Notice of Non-Compliant Amendment; replacement pages 2-5 of the After Final Amendment filed on 10/22/2003; and replacement pages 1-5 of the Amendment filed on 10/22/2004
<div>Remarks</div> <div>MAIL STOP AMENDMENT</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name	Donald J. Daley	Reg. No.	34,313
Signature					
Date	April 8, 2005				

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APR 20 2005

TECHNOLOGY CENTER 05700



PATENT

IN THE U.S. PATENT AND TRADEMARK OFFICE

Application No.: 09/816,014
Filing Date: March 23, 2001
Applicant(s): Bernd SCHOLLER et al.
Group Art Unit: 3743
Examiner: Ragonese, Andrea M.
Title: PROCEDURE FOR THE CONTROL OF A RESPIRATOR
DEVICE AS WELL AS APPARATUS FOR MONITORING
Attorney Docket: 6056-000039/US

REPLY TO NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121)

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314
Mail Stop Amendment

April 8, 2005

RECEIVED
APR 20 2005
TECHNOLOGY CENTER R3700

Sir:

In reply to the Notice of Non-Compliant Amendment mailed March 8, 2005, Applicants attach hereto replacement pages 2-5 of the After Final Amendment filed on October 22, 2003, and replacement pages 1-5 of the Amendment filed on October 22, 2004. The replacement pages include the proper status identifiers next to each claim as requested by the Examiner. In addition, please note that Applicants have corrected the first page of the Amendment filed on October 22, 2004 to read as "AMENDMENT" and not as "PRELIMINARY AMENDMENT".

U.S. Application No. 09/816,014
Attorney Docket No. 6056-000039/US

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY & PIERCE, P.L.C.

By  #35,294

Donald J. Daley, Reg. No. 34,313

P.O. Box 8910
Reston, VA 20195
(703) 668-8000

DJD/bof
Attachments